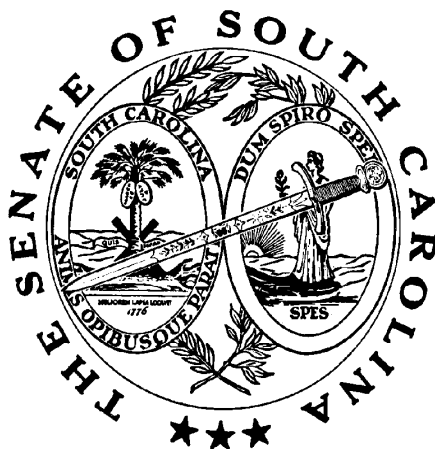


NO. 7

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

THURSDAY, JANUARY 29, 2009

Thursday, January 29, 2009
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

The Psalmist writes:

“O give thanks to the Lord, for he is good, for his steadfast love endures forever.” (Psalm 136:1)

Join me in prayer, friends:

It is so easy, Lord, to bog down in our struggles to move this State ahead. Continue to give each Senator and every staff member the fortitude they need to charge forward, wisely and prudently. But also, O God, let none of us forget the good and the positive things that are before us even as debates unfold and as arguments are made. After all, we live in a marvelously beautiful and diverse State, filled with exceptionally delightful and talented people. Let us at every step celebrate the positive blessings that derive from our being South Carolinians. And may that energy itself help lead us forward in marvelous and satisfying fashion. In Your holy name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

ADDENDUM

In the Journal of Tuesday, January 13, 2009, the following remarks by Senator S. MARTIN were ordered to be printed by Senator SETZLER:

Remarks by Senator S. MARTIN

Good afternoon everyone, fellow Senators, President Pro Tempore and all invited guests. I am SHANE MARTIN. I will be representing Spartanburg, Greenville and Union Counties, the 13th District of this great State. I did not know that I was going to have the opportunity to speak today, so I am sure that it will be very brief. But, I would like to thank a few people. I have my wife, Amy, here today. I think my family stepped out because I have a three-year-old son who is 100%

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boy as you will all find out, and I think they stepped out for a just second.

Actually, if you could bear with me a second here I see them walking in to the Chamber, and, if you don't mind my doing that for just one second -- recognizing them. The one crying is Aidan. This is my wife, Amy, and my daughter, Ashlyn. Thank you for recognizing them. I would also like to recognize a couple more people who have been instrumental in my election. I mean, when you take out an incumbent in a tough-fought primary and a runoff, there are a lot of people who help you. My dad and my step-mom, Becky, are here but I think they might have stepped out. Also here, are my mom, Cheryl, and my Aunt, Mary Della -- who you will probably see a lot because she is a member of the Silver Haired Legislature. She is a good side to be on, or should I say, for her to be on your side. I will just leave it at that so everybody probably wants to make a mental note of that.

But, I thank you for letting me be here. I am looking forward to getting to work. I know that we are in some tough budget years, but the thing I try to do -- since I am an engineer -- is to try to stay positive all the time. We know our economic times are bad. But, I think these are some of the times that we can work together and really take care of our needs. We can strive to put some of the wants aside a little bit and really focus on taking care of some of the things that need to be taken care of in our government.

I look forward to meeting the ones I have not actually met yet, and shaking your hand, and working with you in developing relationships.

I thank you for having me here today.

* * *

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 3221

Agency: State Law Enforcement Division

SUBJECT: Statewide Criminal Gang Database

Received by Lieutenant Governor January 29, 2009

Referred to Judiciary Committee

Legislative Review Expiration May 29, 2009

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Doctor of the Day

Senator FAIR introduced Dr. John P. Evans of Greenville, S.C., Doctor of the Day. Dr. Evans was accompanied by his wife, Stephanie.

Leave of Absence

At 11:30 A.M., Senator SETZLER requested a leave of absence beginning at 11:35 P.M. and lasting until 1:00 P.M. in order to attend a funeral.

Expression of Personal Interest

Senator THOMAS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 1	Sen. Alexander
S. 5	Sen. Lourie
S. 6	Sen. Lourie
S. 248	Sens. Fair, Verdin, Thomas, Lourie
S. 275	Sen. Campsen
S. 304	Sen. Land, Campsen
S. 305	Sen. Alexander
S. 324	Sens. Scott, Williams, Davis

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 339	Sen. Land
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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 340 -- Senators S. Martin, Peeler and Reese: A SENATE RESOLUTION TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA SENATE TO MRS. EUDORA "DODIE" GRAHAM, OF SPARTANBURG COUNTY, FOR HER NINETEEN YEARS OF DEDICATED VOLUNTEER SERVICE AS A MEMBER OF THE SPARTANBURG COUNTY VOTER REGISTRATION BOARD.

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The Senate Resolution was adopted.

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S. 341 -- Senator Campsen: A SENATE RESOLUTION TO HONOR MR. TOM LEE, PRINCIPAL OF JAMES B. EDWARDS ELEMENTARY IN MOUNT PLEASANT, SOUTH CAROLINA, UPON THE OCCASION OF HIS RETIREMENT AND TO EXTEND BEST WISHES FOR MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 342 -- Senators Knotts, Campbell, Rose, Leventis, Cromer and McConnell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-77-285 SO AS TO REQUIRE ALL AUTOMOBILE INSURANCE POLICIES TO INCLUDE A CERTAIN AMOUNT OF COVERAGE FOR TOWING AN AUTOMOBILE THAT IS ABANDONED OR ORDERED TOWED BY LAW ENFORCEMENT.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 343 -- Senator Lourie: A CONCURRENT RESOLUTION TO REQUEST THE SOUTH CAROLINA BUDGET AND CONTROL BOARD TO REQUIRE ALL AGENCIES WITH INVESTIGATIVE AUTHORITY PURSUANT TO THE OMNIBUS ADULT PROTECTION ACT, OR ANY FEDERAL STATUTE, TO MAKE THEIR CASES OF ABUSE, NEGLECT, AND EXPLOITATION OF VULNERABLE ADULTS WHICH WERE SUBSTANTIATED OR RESULTED IN CRIMINAL CONVICTIONS AVAILABLE ON THE STATE'S WEBSITE IN A FORMAT TO BE DEVELOPED BY THE ADULT PROTECTION COORDINATING COUNCIL.

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The Concurrent Resolution was introduced and referred to the Committee on Finance.

S. 344 -- Senator Reese: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW A DEDUCTION OF OTHERWISE TAXABLE MILITARY PAY AND

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ALLOWANCES OF A RESIDENT OF THIS STATE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES AND TO PHASE IN THIS DEDUCTION OVER FOUR YEARS.

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Read the first time and referred to the Committee on Finance.

S. 345 -- Senator Leatherman: A BILL TO AMEND SECTION 8-11-65 OF THE 1976 CODE, RELATING TO LEAVES OF ABSENCE TO BE AN ORGAN DONOR, TO PROVIDE THAT THE NUMBER OF DAYS A PERSON MAY MISS EACH YEAR TO DONATE THEIR ORGANS SHALL BE COUNTED IN A CALENDAR YEAR INSTEAD OF A FISCAL YEAR; AND TO AMEND SECTION 8-11-120, RELATING TO THE POSTING OF JOB VACANCIES BEFORE THE VACANCY IS FILLED, TO REVISE AND SIMPLIFY THE REQUIREMENTS FOR THE NOTICE.

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Read the first time and referred to the Committee on Finance.

S. 346 -- Senator Leventis: A BILL TO AMEND SECTION 4-10-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THOSE PROJECTS ELIGIBLE FOR FUNDING WITH REVENUES OF THE CAPITAL PROJECTS SALES TAX AND THE CONSTRUCTION OF THE BALLOT AND PROCEDURES FOR THE REFERENDUM REQUIRED FOR THE IMPOSITION OF THE TAX, SO AS TO ALLOW THE REVENUES OF THE TAX TO BE USED FOR THE ACQUISITION OF INTERESTS IN REAL PROPERTY INCLUDING DEVELOPMENT RIGHTS FOR ECONOMIC DEVELOPMENT, CONSERVATION, BLIGHT REMEDIATION, OR MILITARY BASE PROTECTION.

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Read the first time and referred to the Committee on Finance.

S. 347 -- Senators S. Martin, Peeler and Reese: A BILL TO AMEND SECTION 16-23-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CARRYING OR DISPLAYING FIREARMS ON PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC EDUCATIONAL INSTITUTION, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON WHO IS AUTHORIZED TO CARRY A CONCEALED WEAPON WHEN THE WEAPON IS INSIDE A

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MOTOR VEHICLE; TO AMEND SECTION 16-23-430, RELATING TO THE CARRYING OF WEAPONS ON SCHOOL PROPERTY, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON WHO IS AUTHORIZED TO CARRY A CONCEALED WEAPON WHEN THE WEAPON IS INSIDE A MOTOR VEHICLE; AND TO AMEND SECTION 16-23-465, RELATING TO PENALTIES ASSOCIATED WITH THE UNLAWFUL CARRYING OF A PISTOL OR FIREARM INTO A BUSINESS THAT SELLS ALCOHOLIC BEVERAGES, SO AS TO DELETE THE PROVISION THAT REQUIRES THE REVOCATION OF THE CONCEALED WEAPON PERMIT OF A HOLDER WHO VIOLATES THIS SECTION, AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A PERSON WHO IS AUTHORIZED TO CARRY A CONCEALED WEAPON WHEN THE WEAPON IS INSIDE A MOTOR VEHICLE.

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Read the first time and referred to the Committee on Judiciary.

S. 348 -- Senators Fair and Sheheen: A BILL TO AMEND SECTION 16-3-95, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INFLECTION OF GREAT BODILY INJURY UPON A CHILD, SO AS TO PROVIDE A MINIMUM TERM OF IMPRISONMENT OF TWO YEARS FOR A PERSON WHO IS CONVICTED OF THIS OFFENSE AND WHO IS REGISTERED WITH OR LICENSED BY THE DEPARTMENT OF SOCIAL SERVICES PURSUANT TO CHILDCARE FACILITIES LICENSURE REQUIREMENTS; TO PROVIDE THAT NO PORTION OF THE SENTENCE MAY BE SUSPENDED; AND BY ADDING SECTION 63-13-825 SO AS TO REQUIRE FAMILY CHILDCARE OPERATORS AND CAREGIVERS ANNUALLY TO COMPLETE A MINIMUM OF TWO HOURS OF TRAINING APPROVED BY THE DEPARTMENT OF SOCIAL SERVICES.

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Read the first time and referred to the Committee on Judiciary.

S. 349 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-7-31 SO AS TO PROVIDE THAT A TOWING COMPANY OPERATING WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY IS NOT SUBJECT TO A BUSINESS LICENSE

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TAX UNLESS THE TOWING COMPANY MAINTAINS A PLACE OF BUSINESS WITHIN THE CORPORATE LIMITS OF THE MUNICIPALITY.

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Read the first time and referred to the Committee on Judiciary.

S. 350 -- Senators L. Martin, Cleary, Alexander, Bryant, Campbell, Davis, Fair, Mulvaney, O'Dell, Peeler, Ryberg, Shoopman and Verdin: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA CIVIL JUSTICE SYSTEM, BY PROVIDING FOR THE SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT, TO AMEND CHAPTER 32 OF TITLE 15 OF THE 1976 CODE, RELATING TO DAMAGES IN PERSONAL INJURY ACTIONS, TO PROVIDE LIMITS ON THE AWARD OF NONECONOMIC AND PUNITIVE DAMAGES IN ALL PERSONAL INJURY ACTIONS, AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; TO AMEND CHAPTER 7, TITLE 1 OF 1976 CODE, BY ADDING SECTION 1-7-750, TO PROVIDE THE PRIVATE ATTORNEY RETENTION SUNSHINE ACT, TO GOVERN THE RETENTION OF PRIVATE ATTORNEYS BY THE ATTORNEY GENERAL OR A SOLICITOR, TO PROVIDE TERMS AND CONDITIONS GOVERNING THE RETAINER AGREEMENT INCLUDING LIMITS ON THE COMPENSATION OF OUTSIDE COUNSEL IN CONTINGENCY FEE CASES; TO AMEND SECTION 15-3-670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS; TO AMEND ARTICLE 1, CHAPTER 5, TITLE 15 OF THE 1976 CODE, BY ADDING SECTION 15-3-160, TO PROVIDE A REBUTTABLE PRESUMPTION THAT A MANUFACTURER OR SELLER IS NOT LIABLE FOR A PRODUCT IF IT IS MANUFACTURED OR SOLD IN A MANNER APPROVED BY A GOVERNMENT AGENCY; TO AMEND CHAPTER 5, TITLE 15 OF THE 1976 CODE, BY ADDING SECTION 15-5-10, TO PROVIDE REQUIREMENTS AND PROCEDURES TO BRING, MAINTAIN, AND CERTIFY CLASS ACTIONS; TO AMEND SECTION 15-73-10 OF THE 1976 CODE, RELATING TO THE LIABILITY OF A SELLER FOR A

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DEFECTIVE PRODUCT, TO PROVIDE THAT THE SELLER IS NOT SUBJECT TO TORT LIABILITY FOR DAMAGE ONLY CAUSED TO THE PRODUCT ITSELF; TO AMEND SECTION 18-9-130 OF 1976 CODE, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, TO PROVIDE LIMITS FOR APPEAL BONDS; TO AMEND SECTIONS 33-6-220 AND 33-44-303, RELATING TO CORPORATIONS AND LIMITED LIABILITY COMPANIES, TO PROVIDE THAT A JUDGMENT AGAINST A CORPORATION OR LIMITED LIABILITY COMPANY IS A PREREQUISITE TO AN ALTER EGO CLAIM TO PIERCE THE CORPORATE VEIL; TO AMEND SECTION 39-5-20 OF THE 1976 CODE, RELATING TO UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO PROVIDE ACTIONS OR TRANSACTIONS OTHERWISE PERMITTED OR REGULATED BY THE FEDERAL TRADE COMMISSION OR ANY OTHER REGULATORY BODY OR OFFICE ACTING UNDER STATUTORY AUTHORITY OF THIS STATE OR THE UNITED STATES ARE NOT COVERED BY THE ACT; TO AMEND SECTION 39-5-140, RELATING TO AN ACTION FOR DAMAGES ARISING OUT OF AND UNFAIR OR DECEPTIVE TRADE PRACTICE, TO PROVIDE THAT A PERSON SEEKING DAMAGES MUST SUFFER "OUT-OF-POCKET EXPENSES" AND TO DEFINE THIS TERM; AND TO AMEND SECTION 56-5-6540, RELATING TO THE PENALTIES FOR THE MANDATORY USE OF SEATBELTS, TO PROVIDE THAT A VIOLATION MAY BE CONSIDERED IN A CIVIL ACTION AS EVIDENCE OF COMPARATIVE NEGLIGENCE OR AS EVIDENCE OF FAILURE TO MITIGATE DAMAGES.

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Read the first time and referred to the Committee on Judiciary.

S. 351 -- Senators Grooms, McConnell and Ford: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 54 OF THE 1976 CODE, RELATING TO THE CREATION AND ORGANIZATION OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO CLARIFY THAT THE POWERS AND DUTIES OF THE AUTHORITY ARE EXERCISED BY A BOARD OF DIRECTORS, TO PROVIDE THAT CANDIDATES FOR APPOINTMENT MUST POSSESS CERTAIN QUALIFICATIONS, TO PROVIDE THAT CANDIDATES MUST BE SCREENED TO DETERMINE WHETHER THEY POSSESS

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THE REQUIRED QUALIFICATIONS BEFORE THEY MAY SERVE ON THE BOARD, TO PROVIDE THAT MEMBERS OF THE BOARD MAY BE REMOVED FROM OFFICE ONLY FOR CAUSE, TO PROVIDE THAT THE BOARD MUST PERFORM AN ANNUAL PERFORMANCE REVIEW OF THE EXECUTIVE DIRECTOR, TO ESTABLISH THAT DIRECTORS HAVE A DUTY OF GOOD FAITH AND ORDINARY CARE WHEN DISCHARGING THEIR DUTIES AS A DIRECTOR, TO PROHIBIT CONFLICT OF INTEREST TRANSACTIONS, TO ESTABLISH A SOUTH CAROLINA STATE PORTS ADVISORY BOARD, AND SET THE MEMBERSHIP, DUTIES, AND RESPONSIBILITIES OF THE ADVISORY BOARD; TO AMEND CHAPTER 3, TITLE 54, BY ADDING ARTICLE 2, RELATING TO PORTS AUTHORITY MANAGEMENT, TO PROVIDE THAT THE BOARD OF DIRECTORS MUST HIRE AN EXECUTIVE DIRECTOR OF PORT OPERATIONS AND TO ESTABLISH THE DIRECTOR'S DUTY TO OPERATE THE PORTS IN A MANNER CONSISTENT WITH THE MISSION, POLICIES, AND DIRECTION OF THE BOARD; TO AMEND SECTION 54-3-140(5), TO PROVIDE THAT THE BOARD OF DIRECTORS MUST ADOPT AN ORGANIZATIONAL STRUCTURE FOR AUTHORITY OPERATIONS; TO AMEND SECTION 54-3-140, RELATING TO THE POWERS OF THE PORTS AUTHORITY, BY ADDING TWO NEW ITEMS THAT REQUIRE A LONG-RANGE PORT DEVELOPMENT AND CAPITAL FINANCING PLAN AND TO PROVIDE THAT THE AUTHORITY MUST CONSIDER PUBLIC-PRIVATE PARTNERSHIPS FOR CURRENT AND FUTURE OPERATIONS; TO AMEND SECTION 54-3-1040, RELATING TO THE ANNUAL FINANCIAL STATEMENT, AND TO PROVIDE THAT COPIES OF THE STATEMENT MUST BE FORWARDED TO THE ADVISORY COMMITTEE AND THE GENERAL ASSEMBLY; TO AMEND ARTICLE 11, CHAPTER 3, TITLE 54, RELATING TO FINANCIAL MATTERS, BY ADDING SECTION 54-3-1060 TO PROVIDE THAT THE AUTHORITY MUST MAINTAIN A TRANSACTION REGISTER OF ALL FUNDS EXPENDED OVER ONE HUNDRED DOLLARS AND MUST MAINTAIN ON ITS INTERNET WEBSITE A COPY OF EACH MONTHLY CREDIT CARD STATEMENT FOR ALL CREDIT CARDS MAINTAINED BY THE AUTHORITY; AND TO AMEND CHAPTER 3, TITLE 54, BY ADDING ARTICLE 13, RELATING TO LEGISLATIVE OVERSIGHT, TO REQUIRE

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REGULAR OVERSIGHT REVIEW OF THE AUTHORITY AND
THE EXECUTIVE DIRECTOR.

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Read the first time and referred to the Committee on Transportation.

S. 352 -- Senators Jackson and Pinckney: A JOINT RESOLUTION
TO CREATE THE SOUTH CAROLINA JOINT COMMITTEE ON
SCHOOL DISTRICT CONSOLIDATION AND TO DIRECT THE
COMMITTEE TO CONDUCT A STUDY OF THE CURRENT
ORGANIZATION OF SCHOOL DISTRICTS THROUGHOUT
SOUTH CAROLINA AND DEVELOP A COMPREHENSIVE PLAN
FOR THE CONSOLIDATION OF SCHOOL DISTRICTS.

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Read the first time and referred to the Committee on Education.

S. 353 -- Senators Malloy and Massey: A BILL TO AMEND
CHAPTER 1, TITLE 39 OF THE 1976 CODE, BY ADDING
SECTION 39-1-95, RELATING TO CELLULAR TELEPHONE
CONTRACTS, TO ALLOW MEMBERS OF THE UNITED STATES
ARMED FORCES AND MEMBERS OF THEIR IMMEDIATE
FAMILY TO TERMINATE OR SUSPEND CONTRACTS FOR
CELLULAR TELEPHONE SERVICE UPON A QUALIFYING
DEPLOYMENT OR CHANGE OF DUTY STATION.

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Read the first time and referred to the Committee on Judiciary.

S. 354 -- Senators Lourie, Jackson, Ford, Williams, Sheheen,
Pinckney, McGill, Malloy and Land: A BILL TO AMEND SECTION
7-15-320 OF THE 1976 CODE, RELATING TO PERSONS
QUALIFIED TO VOTE BY ABSENTEE BALLOT, TO ALLOW
ANY PERSON QUALIFIED TO VOTE IN SOUTH CAROLINA TO
VOTE BY AN ABSENTEE BALLOT; TO AMEND SECTION 7-15-
330, RELATING TO THE APPLICATION FOR AN ABSENTEE
BALLOT, TO REMOVE ALL MENTION OF QUALIFICATIONS
TO VOTE ABSENTEE AND ALLOW THE APPLICATION
PROCESS TO BE COMPLETED ONLINE; TO AMEND SECTION
7-15-340, RELATING TO THE FORM OF THE APPLICATION FOR
AN ABSENTEE BALLOT, TO REMOVE ALL MENTION OF
REASON TO VOTE ABSENTEE AND ALLOW THE
APPLICATION PROCESS TO BE COMPLETED ONLINE; TO

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AMEND CHAPTER 25, TITLE 7 OF THE 1976 CODE, BY ADDING SECTION 7-25-240, RELATING TO OFFENSES AGAINST ELECTION LAWS, TO MAKE THE UTILIZATION OF THE ONLINE APPLICATION PROCESS IN AN UNAUTHORIZED ATTEMPT TO RECEIVE AN ABSENTEE BALLOT IN THE NAME OR VOTER REGISTRATION NUMBER OF ANOTHER A FELONY AND TO SET THE PENALTY FOR THE OFFENSE; AND TO AMEND SECTION 7-15-370, RELATING TO FURNISHING BALLOTS AND ENVELOPES, TO REMOVE ALL MENTION OF QUALIFICATIONS TO RECEIVE AN ABSENTEE BALLOT.

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Senator LOURIE spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 355 -- Senators Lourie, Setzler, Jackson, Ford, Sheheen, Land, McGill, Scott and Pinckney: A BILL TO AMEND SECTION 7-15-410 OF THE 1976 CODE, RELATING TO ABSENTEE VOTING PRECINCTS, TO REQUIRE THE ESTABLISHMENT OF ONE ABSENTEE VOTING PRECINCT PER 100,000 PEOPLE IN A COUNTY, TO DIRECT THE FACTORS FOR CONSIDERATION IN CHOOSING THE LOCATION OF SUCH PRECINCTS, AND TO DIRECT THE TIME OF OPERATION FOR SUCH PRECINCTS.

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Senator LOURIE spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 356 -- Senator Alexander: A BILL TO AMEND SECTION 40-51-20 OF THE 1976 CODE, RELATING TO DEFINITIONS USED IN CONNECTION WITH THE LICENSURE AND REGULATION OF PODIATRISTS, TO REVISE THE DEFINITION OF "PODIATRY"; AND TO AMEND CHAPTER 51, TITLE 40 OF THE 1976 CODE BY ADDING SECTION 40-51-210 TO REQUIRE ANKLE AND SOFT TISSUE SURGERIES TO BE PERFORMED IN CERTAIN ACCREDITED FACILITIES AND TO REQUIRE THE GOVERNING DOCUMENTS OF THESE FACILITIES TO ENSURE FULL CLINICAL AND SURGICAL PRIVILEGES TO HOLDERS OF A D.P.M. DEGREE.

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Read the first time and referred to the Committee on Medical Affairs.

S. 357 -- Transportation Committee: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA STATE PORTS AUTHORITY AND THE MARITIME COMMUNITY FOR THEIR CONTRIBUTIONS TO THE STATE'S ECONOMY, FOR THE SIGNIFICANT ROLE PORTS PLAY IN ADVANCING SOUTH CAROLINA'S POSITION IN THE GLOBAL ECONOMY, FOR THE EXPEDITIOUS PURSUIT OF NEW PORT CAPACITY, AND FOR THE RENEWED COMMITMENT TO COOPERATION AND INVOLVEMENT BY MANY IN THE MARITIME COMMUNITY TO FOCUS OUR PORT SYSTEM ON REGAINING MARKET SHARE FOR OUR STATE.

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The Concurrent Resolution was adopted, ordered returned to the House.

H. 3144 -- Rep. Hosey: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION TO NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 125 UNDER STATE JURISDICTION FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 3 IN ALLENDALE COUNTY TO ITS INTERSECTION WITH THE UNITED STATES DEPARTMENT OF ENERGY'S SAVANNAH RIVER SITE'S BOUNDARY NEAR THE TOWN OF JACKSON IN AIKEN COUNTY THE "COACH AARON MANIGAULT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "COACH AARON MANIGAULT MEMORIAL HIGHWAY".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3347 -- Reps. Clemmons, McLeod and Harrell: A BILL TO AMEND SECTION 56-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES GIVING APPLICANTS FOR CERTAIN SERVICES THE OPTION TO MAKE A VOLUNTARY

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CONTRIBUTION TO DONATE LIFE OF SOUTH CAROLINA, SO AS TO INCREASE THE AMOUNT THAT MAY BE DONATED.

Read the first time and referred to the Committee on Transportation.

H. 3353 -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2009.

Read the first time and referred to the Committee on Judiciary.

H. 3367 -- Reps. Govan, Ott, Cobb-Hunter, Sellers, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO EXPRESS THE SINCEREST SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY ON THE OCCASION OF THE DEATH OF ORANGEBURG COUNTY'S AUSTIN CUNNINGHAM, AND ITS GRATITUDE FOR HIS MANY YEARS OF SERVICE TOWARD THE BETTERMENT OF HIS COMMUNITY AND THIS STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

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REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the General Committee polled out
S. 305 favorable:

S. 305 -- Senators Cromer, Campsen, Bryant, Bright, Campbell, Peeler, Davis, Fair, Ryberg, L. Martin, McGill, Thomas, Rose, Grooms, Shoopman, Knotts, Rankin and Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT PRESIDENT BARACK HUSSEIN OBAMA RESCIND HIS EXECUTIVE ORDERS TO CLOSE THE GUANTANAMO BAY DETENTION FACILITIES SO THAT THE TERRORISTS HOUSED IN THE FACILITIES CAN POSE NO THREAT TO THE UNITED STATES OR THE WORLD AT LARGE AND TO REQUEST THAT DETAINEES NOT BE RELOCATED TO THE UNITED STATES NAVAL CONSOLIDATED BRIG IN CHARLESTON.

Poll of the General Committee
Polled 16; Ayes 11; Nays 0; Not Voting 4

AYES

Alexander	O'Dell	Martin
Knotts	Ford	Reese
Bryant	Cleary	Cromer
Hayes	Shoopman	

Total--11

NAYS

Total--0

NOT VOTING

Sheheen	Coleman	Jackson
Scott		

Total--4

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Invitations polled out
H. 3292 favorable:

[SJ]

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H. 3292 -- Reps. T.R. Young, Allison and Parker: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2009 AS "NATIONAL CHILDREN'S DENTAL HEALTH MONTH" IN SOUTH CAROLINA AND FRIDAY, FEBRUARY 6, 2009, AS "GIVE KIDS A SMILE DAY" TO PROMOTE ORAL HEALTH AND TO JOIN IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

**Poll of the Invitations Committee
Polled 11; Ayes 11; Nays 0**

AYES

Knotts	Alexander	Malloy
O'Dell	McGill	Reese
Elliott	Ford	Verdin
Campsen	Cromer	

Total--11

NAYS

Total--0

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 298 -- Senators Jackson and Scott: A CONCURRENT RESOLUTION TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE OUTSTANDING COMMUNITY SERVICE OF MRS. KATHERYN M. BELLFIELD, OF RICHLAND COUNTY.

Returned with concurrence.

Received as information.

S. 325 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin,

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Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin, Williams and Davis: A CONCURRENT RESOLUTION TO CONGRATULATE MAJOR GEORGE BOOTH, OF LEXINGTON COUNTY, SPECIAL AGENT IN CHARGE OF THE TACTICAL OPERATIONS UNIT OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILLS

The following Bills and Joint Resolution, having been read the second time, were ordered placed on the Third Reading Calendar:

S. 326 -- Senators Davis and Pinckney: A BILL TO AUTHORIZE THE BOARD OF EDUCATION FOR THE BEAUFORT COUNTY SCHOOL DISTRICT TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS MAY ONLY BE USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

S. 327 -- Senator Pinckney: A BILL TO AUTHORIZE THE BOARD OF EDUCATION FOR THE JASPER COUNTY SCHOOL DISTRICT TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS MAY ONLY BE

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USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

H. 3232 -- Rep. Hosey: A JOINT RESOLUTION TO CHANGE THE CERTIFICATION DATE FOR THE RESULT OF A CAPITAL PROJECTS SALES AND USE TAX ACT REFERENDUM HELD AT THE TIME OF THE 2008 GENERAL ELECTION FROM NO LATER THAN NOVEMBER 30, 2008, TO NO LATER THAN DECEMBER 11, 2008.

Senator O'DELL explained the Joint Resolution.

H. 3232--Recorded Vote

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the second reading of the Bill.

H. 3267 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO OPERATION OF PUBLIC PUPIL TRANSPORTATION SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 3209, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HAYES explained the Joint Resolution.

H. 3267--Recorded Vote

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the second reading of the Bill.

AMENDED, READ THE SECOND TIME

H. 3061 -- Rep. A.D. Young: A BILL TO DESIGNATE A CERTAIN PORTION OF DORCHESTER COUNTY AS COOSAW POINTE, AND TO REQUEST THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS INDICATING THIS AREA DESIGNATED AS COOSAW POINTE.

[SJ]

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The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator GROOMS proposed the following amendment (3061R001.LKG), which was adopted:

Amend the bill, as and if amended, page 2, after line 2, by adding:

/ (C) The South Carolina Department of Transportation may seek reimbursement from the local county transportation committee, or other entities, for any costs incurred to manufacture, install, or maintain the signs requested pursuant to this act. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

H. 3061--Recorded Vote

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the second reading of the Bill.

ADOPTED

S. 274 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN DILLON COUNTY FROM ITS INTERSECTION WITH HIGHWAY 57 TO 2725 HIGHWAY 9 WEST AS THE "REVEREND RICHARD 'DICK' ALDERMAN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "REVEREND RICHARD 'DICK' ALDERMAN HIGHWAY".

The Concurrent Resolution was adopted, ordered sent to the House.

OBJECTION

S. 103 -- Senators Grooms, Campsen and Campbell: A BILL TO AMEND SECTION 57-5-10 OF THE 1976 CODE, RELATING TO THE GENERAL COMPOSITION OF THE STATE HIGHWAY

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SYSTEM, TO PROVIDE THAT ALL HIGHWAYS IN THE STATE HIGHWAY SYSTEM MUST BE BUILT ACCORDING TO STATE STANDARDS; TO AMEND SECTION 57-5-70, RELATING TO ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ADD COUNTY AND MUNICIPAL ROADS TO THE STATE HIGHWAY SYSTEM WHEN NECESSARY FOR THE INTERCONNECTIVITY OF THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 57-5-80, RELATING TO THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, TO PROVIDE FOR THE REMOVAL OF ROADS FROM THE STATE HIGHWAY SYSTEM WHEN A COUNTY, MUNICIPALITY, SCHOOL, OR OTHER GOVERNMENTAL AGENCY AGREES TO ACCEPT THE ROAD INTO ITS OWN HIGHWAY SYSTEM; AND TO REPEAL SECTION 57-5-90, RELATING TO BELT LINES AND SPURS.

Senator CAMPSSEN explained the Bill.

Senator LEVENTIS objected to further consideration of the Bill.

CARRIED OVER

S. 13 -- Senators Leatherman, Elliott and Campbell: A BILL TO AMEND SECTION 56-3-910 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE FEES, TO PROVIDE THAT FEES BE PLACED IN THE STATE HIGHWAY ACCOUNT OF THE TRANSPORTATION INFRASTRUCTURE BANK INSTEAD OF THE DEPARTMENT OF TRANSPORTATION.

On motion of Senator THOMAS, the Bill was carried over.

AMENDED, CARRIED OVER

S. 4 -- Senators McConnell, Campsen, Rose, Bryant, Elliott, Peeler, Bright, Campbell, Ford and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA TEACHER PROTECTION ACT OF 2009", BY ADDING SECTION 59-25-900, SO AS TO PROVIDE THAT A TEACHER MAY BRING A CIVIL ACTION AGAINST A STUDENT WHO COMMITS A CRIMINAL OFFENSE AGAINST THE TEACHER IF THE OFFENSE OCCURS ON SCHOOL GROUNDS OR AT A SCHOOL-RELATED EVENT, OR IF THE OFFENSE IS DIRECTLY RELATED TO THE TEACHER'S

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PROFESSIONAL RESPONSIBILITIES, AND TO PROVIDE THAT NO TEACHER HAS CIVIL LIABILITY TO A STUDENT OR TO A PARTY ACTING IN THE INTEREST OF THE STUDENT FOR AN ACT OR OMISSION BY THE TEACHER THAT OCCURS WHILE THE TEACHER IS ACTING ON BEHALF OF THE SCHOOL; AND TO AMEND SECTION 16-3-612, RELATING TO THE OFFENSE OF A STUDENT COMMITTING ASSAULT AND BATTERY AGAINST A PERSON AFFILIATED WITH A SCHOOL IN AN OFFICIAL CAPACITY, SO AS TO REDEFINE INTO THREE OFFENSES WITH SEPARATE PENALTIES FOR EACH, INCLUDING ESTABLISHING THE MOST SERIOUS OFFENSE AS A FELONY.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator MASSEY proposed the following amendment (JUD0004.002), which was adopted:

Amend the bill further, as and if amended, page 3, by striking lines 18-43 in their entirety and inserting:

/ (B) ~~A student who commits an assault and battery, other than one that is aggravated, on school grounds or at a school-sponsored event against any person affiliated with the school in an official capacity including, but not limited to, administrators, teachers, faculty, substitute teachers, teachers' assistants, student teachers, custodial staff, food service staff, volunteers, law enforcement officers, school bus drivers, school crossing guards, or other regularly assigned school contracted persons is guilty of assault and battery against school personnel which is a misdemeanor and, upon conviction, must be fined not more than one thousand dollars, or imprisoned not more than one year, or both.~~ A student who commits assault and battery, other than one that is aggravated, against a person affiliated with a school in an official capacity when the offense occurs on school grounds or at a school-related event, or when the offense is directly related to the school official's professional responsibilities, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars, or imprisoned not more than one year, or both. /

Amend the bill further, as and if amended, page 4, by striking lines 1-30 in their entirety and inserting:

/ (C) A student who commits assault and battery of a high and aggravated nature against a person affiliated with a school in an official

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capacity when the offense occurs on school grounds or at a school-related event, or when the offense is directly related to the school official's professional responsibilities, is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

(D) Sentencing pursuant to this section must comply with the requirements of Article 15, Chapter 3, Title 16.

(E) A person affiliated with a school in an official capacity who is:

(1) the victim of a violation of this section for which a student was convicted, adjudicated delinquent, or pled guilty or nolo contendere; and

(2) injured as a result of the violation of this section to the extent that his injury prevents him from returning to his former position within the school district, must be allowed to continue to participate in all retirement, insurance, and deferred compensation programs he was enrolled in at the time of the injury. The district shall continue to make the employer contributions on behalf of the injured school official.

(F) If a school official reports an incident pursuant to this section to any school principal, vice principal, assistant principal, or other school administrator, the school administrator shall report the incident to law enforcement for investigation." /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

On motion of Senator RANKIN, the Bill was carried over, as amended.

POINT OF ORDER

S. 1 -- Senators McConnell, Peeler, Leatherman, Sheheen, Rose, Courson, Elliott, Massey, Hayes, Davis, Bright, Campsen, Campbell, L. Martin and Knotts: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE REQUIREMENT FOR THE STATE AND ITS POLITICAL SUBDIVISIONS TO HAVE BUDGET PROCESSES DESIGNED TO KEEP REVENUES AND EXPENDITURES IN BALANCE, THE

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LIMITATION ON STATE APPROPRIATIONS, AND THE LIMITATIONS ON STATE EMPLOYEES, SO AS TO DELETE THE EXISTING STATE SPENDING LIMITATION AND REQUIRE THE GENERAL ASSEMBLY TO REPLACE IT BY A LAW IMPOSING AN ANNUAL LIMIT ON THE APPROPRIATION OF STATE GENERAL FUND REVENUES BY ADJUSTING SUCH REVENUES BY A ROLLING TEN-YEAR AVERAGE IN ANNUAL CHANGES IN GENERAL FUND REVENUES; TO ALLOW THE CREATION OF A BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT; AND TO PROVIDE BY GENERAL LAW FOR THE APPROPRIATIONS TO WHICH THE LIMIT APPLIES, THE METHOD OF AND SOURCES FOR CALCULATING THE LIMIT; AND TO PROVIDE FOR THE DISBURSEMENTS FROM THE BUDGET STABILIZATION FUND.

Point of Order

Senator L. MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

Motion Adopted

Senator McCONNELL moved that when the Senate stands adjourned on Thursday, January 29, 2009, the Senate would stand adjourned to meet on Friday, January 30, 2009, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

There was no objection and the motion was adopted.

Motion Adopted

Senator McCONNELL moved that, when the Senate stands adjourned on Friday, January 30, 2009, the Senate will stand adjourned

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to meet on Tuesday, February 3, 2009, at 12:00 Noon in Statewide Session;

and that, when the Senate stands adjourned on Tuesday, February 3, 2009, it will stand adjourned to meet on Wednesday, February 4, 2009, and Thursday, February 5, 2009, subject to the times and limitations set forth in Rule 1B;

and that, when the Senate stands adjourned on Thursday, February 5, 2009, it will stand adjourned to meet on Friday, February 6, 2009, under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up;

and, further, that when the Senate stands adjourned on Friday, February 6, 2009, the Senate will stand adjourned to meet in Statewide Session on Tuesday, February 10, 2009, at 12:00 Noon.

There was no objection and the motion was adopted.

MOTION ADOPTED

On motion of Senator McGILL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Sue Gordon of Kingstree, S.C., beloved wife of former Representative B. J. Gordon.

and

MOTION ADOPTED

On motion of Senator L. MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Salena P. Griffin of Six Mile, S.C. Mrs. Griffin had been married for more than 70 years and she and her husband, John F. Griffin, had four children and 13 grandchildren and 15 great-grandchildren.

ADJOURNMENT

At 12:08 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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